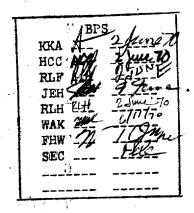
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91st CONGRESS 2D SESSION

# H. R. 16443

#### IN THE HOUSE OF REPRESENTATIVES

March 12, 1970

Mr. Brooks introduced the following bill; which was referred to the Committee on Government Operations

### A BILL

To amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 That the Federal Property and Administrative Services Act
- 4 of 1949 (40 U.S.C. 471 et seq.) is amended by adding at
- 5 the end thereof the following new title: Approved For Release 2002/02/06: CIA-RDP86-00244R000200530044-9

1	"TITLE IX—SELECTION OF ARCHITECTS AND
2	ENGINEERS
3	"DEFINITIONS
4	"Sec. 901. As used in this title—
5	"(1) The term 'firm' means any individual, firm, part-
6	nership, corporation, association, or other legal entity per-
7	mitted by law to practice the professions of architecture or
8	engineering.
9	"(2) The term 'agency head' means the Secretary
10	Administrator, or head of a department, agency, or bureau
11	of the Federal Government.
12	"(3) The term 'professional services' includes those of
13	an architectural or engineering nature as well as incidental
14	services that members of these professions and those in their
15	employ may logically or justifiably perform.
16	"POLICY
17	"SEC. 902. The Congress hereby declares it to be the
18	policy of the Federal Government to negotiate contracts
19	for professional services on the basis of demonstrated compe-
20	tence and qualification for the type of professional services
21	required and at fair and reasonable prices.
$\hat{2}2$	"REQUESTS FOR DATA ON PROFESSIONAL SERVICES
23	"Sec. 903. In the procurement of professional services
24	the agency head shall invite firms engaged in the lawful prac-
25	tice of their profession to submit, in accordance with the

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advoterms of the invitation, a statement of qualifications and per-
22 formance data. The agency head inviting such proposals shall
3 evaluate the submissions received and shall select therefrom,
4 in order of preference, no less than three of the firms deemed
5 to be most highly qualified to provide the services required.
6 "NEGOTIATION OF CONTRACTS FOR SERVICES
7 "Sec. 904. (a) The agency head shall negotiate with
8 the highest qualified firm for a contract for such professional
9 services at a fee which the agency head determines is fair
10 and reasonable to the Government. In making such determi-
11 nation, the agency head shall take into account the estimated
12 yalue of the services to be rendered, the scope, complexity,
and professional nature thereof.
"(b) Should the agency head be unable to negotiate a
satisfactory contract with the firm considered to be the most
qualified, at a price he determines to be fair and reasonable
to the Government, negotiations with that firm should be
formally terminated. The agency head should then under-
take negotiations with the second most qualified firm. Failing
accord with the second most qualified firm, the agency head
should terminate negotiations. The agency head should then
undertake negotiations with the third most qualified firm.
"(c) Should the agency head be unable to negotiate

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a satisfactory contract with any of the qualified firms, he

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- shall, in his discretion, either select additional firms in order 1
- of their competence and qualification, or reissue a new

Referred to the Committee on Government Operations

March 12, 1970

request for proposals."

91st CONGRESS 2d Session

of firms and individuals to perform archi trative Services Act of 1949 in order to estabtectural, engineering, and related services lish Federal policy concerning the selection Ву Mr. Вкоокs

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